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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,932	10/22/2003	Joonbae Park	GCTS-0039	4014
74712 7590 07/11/2008 MUIR PATENT CONSULTING, PLLC 758 WALKER ROAD SUITE C GREAT FALLS, VA 22066				
EXAMINER				
CHEN, JUNPENG				
ART UNIT		PAPER NUMBER		
2618				
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07/11/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/689,932

Applicant(s)

PARK ET AL.

Examiner

JUNPENG CHEN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 20-23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 20-23 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to applicant's request of Continued Examination (RCE) filed on 06/30/2008 on amendments/arguments filed on 06/30/2008. Claims 17-19 and 24 have been cancelled and claim 25 has been added. Claims 1, 5, 7, 8, 13, 14, 20 and 22 have been amended, 5, 7 and 8 have been amended. Currently, claims 1-16, 20-23 and 25 are pending.

Response to Arguments/Amendments

2. Applicant's arguments filed 06/30/2008 have been fully considered but they are not persuasive.

Regarding claims 1 and 14, Applicant argues neither Paulus nor Jensen discloses a low-IF analog radio receiver. In response to applicant's arguments, the recitation "low-IF analog radio receiver" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

The Examiner suggests Applicant to clearly recite the analog elements of the receiver in the body of the claims in order for the Examiner to give patentable weight to the "analog elements" related recitation(s).

Applicant further argues that Darabi does not disclose the base-band signal with desired signal centered at DC, the second mixer to translate a DC offset (DC offset) in frequency domain to a frequency higher than said desired signal, said translated DC offset located at the same frequency of the second LO frequency. However, the Examiner wants to point out that the rejection on claim 14 in the previous Office Action was not based on Darabi alone; rather, it was based on the combination of Darabi, Paulus and Jensen. As clearly stated in the previous Office Action, Paulus and Jensen disclose the limitations in question (see pages 12 and 13 of the previous Office Action).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-5, 7 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Paulus et al.** (U.S. Patent 7,024,221) in view of **Jensen et al.** (U.S. Patent 6,907,089 B2).

Consider **claim 1**, Paulus discloses a radio receiver (read as RF receiver, Figure 8, line 39 of column 14 to line 37 of column 18) comprising:

a first front-end down-conversion mixer to down convert an RF signal from a first low noise amplifier (LNA) into respective intermediate frequency I and Q signals (read as the down converter circuitry 409, Figure 8);

a second down-conversion mixer to convert said intermediate frequency I and Q signals into a base-band signal with desired signal centered at DC, said second down-conversion mixer to translate a DC offset in frequency domain to a frequency, said translated DC offset located at the same frequency of a second LO frequency (read as the digital down converter circuitry 427, Figure 8, lines 23-33 of column 16); and

a notch filter coupled to said second down-conversion mixer to reduce said translated DC offset (read as digital filter circuit 436, Figures 8, 17A and 17B, line 50 of column 31 to line 62 of column 32), .

However, Paulus does not specifically disclose the DC offset in frequency domain is translated to a frequency higher than the desired signal.

Nonetheless, in related art, Jensen discloses a similar receiver, comprising a IF signal having a frequency of 2 MHz, which is greater than the channel width (1MHz for Bluetooth) , Figure 1, lines 1-10 of column 4.

Therefore, it would have been obvious for a person with ordinary skill in the art at the time the invention was made to incorporate the teachings of Jensen into the teachings of Paulus for the purpose of reducing the distortion.

Consider **claims 2 and 3, as applied to claim 1 above**, Paulus, as modified by Jensen, discloses wherein the first front end down-conversion mixer is a quadrature mixer performs a down-conversion of the RF signal and the quadrature mixer matches phase and gain in the I/Q signal as in claim 2, and wherein the phase and gain are matched to achieve an amount of image rejection as in claim 3 (read as the down

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converter circuitry 409 provides better image rejection, Figure 8, lines 35-49 of column 15).

Consider **claim 4, as applied to claim 3 above**, Paulus, as modified by Jensen, discloses the claimed invention above but fails to specifically disclose wherein the amount of image rejection is about 40 dB.

However, the Examiner takes Office Notice of the fact that in GSM standard, the required amount of image rejection is around 40dB.

Therefore, it would have been obvious for a person with ordinary skill in the art at the time invention was made to make sure the amount of image rejection is about 40 dB so the receiver can be used in GSM.

Consider **claim 5, as applied to claim 1 above**, Paulus, as modified by Jensen, discloses a gain stage (read as amplifiers 883A and 833B) but does not specifically disclose a filtering stage serially coupled to an output of said first down-conversion mixer to partially reject out-of-band signals and to block noise from propagating into a following stage.

Nonetheless, Jensen further discloses a band pass filter 140 after the first stage of down conversion for filtering out undesired tones, Figure 5, lines 54-67 of column 6.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to further incorporate the teachings of Jensen into the teachings of Paulus, which modified by Jensen, for the purpose of filtering out undesired tones of the IF signal.

Consider **claim 7, as applied to claim 1 above**, Paulus, as modified by Jensen, discloses wherein the second mixer translates a static or dynamic DC offset in frequency domain, resulting in a carrier leakage and the carrier leakage is located at the same frequency of the second LO frequency (read as the intermediate frequency is converted to baseband centered at zero frequency or DC, that means the second LO frequency is the frequency of the IF signal, because of this, the DC offset after the digital down converter circuitry 427 is at the same frequency of the second LO frequency in frequency domain, Figure 8, lines 23-33 of column 16).

Consider **claim 11, as applied to claim 1 above**, Paulus, as modified by Jensen, discloses first LO signal is generated using a phase locked loop (PLL) circuit (read as PLL 222, Figure 8), but does not specifically discloses the a second LO signal are generated using a phase locked loop circuit.

Nonetheless, Jensen further discloses a second LO signal is generated by a direct digital frequency synthesizer 160 (DDFS), Figure 6, lines 10-21 of column 7.

Therefore, it would have been obvious for a person with ordinary skill in the art at the time the invention was made to further incorporate the teachings of Jensen into the teachings of Paulus, which modified by Jensen, because DDFS has the advantage of fast continuous-phase switching response.

Consider **claim 12, as applied to claim 11 above**, Paulus, as modified by Jensen, discloses wherein the second LO signal is generated using a direct digital

frequency synthesizer (DDFS) or a divided reference clock input with filtering to reject harmonic signals (read as the DDFS above).

Consider **claim 13, as applied to claim 11 above**, Paulus, as modified by Jensen, discloses the digital down converter circuitry 427 comprises : a third mixer coupled to receive intermediate frequency I signals, from said first mixer and a second LO I signal; a fourth mixer coupled to receive said intermediate frequency I signals from said first mixer and a second LO Q signal; a fifth mixer coupled to receive said intermediate frequency I signals from said first mixer and a second LO Q signal; a sixth mixer coupled to receive said intermediate frequency I signals from said first mixer and a second LO I signal; a first logic circuit to combine the output of the third and fifth mixer; and a second logic circuit to combine the output of the fourth and sixth mixer (read as the mixer in Figure 20A).

Claims 1, 6, 8-10, 14-16, 20-23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Darabi** (U.S. PGPub 2003/0067359 A1) in view of **Paulus** (U.S. Patent 7,024,221), and in further view of **Jensen** (U.S. Patent 6,907,089 B2).

Consider **claim 1**, Darabi discloses a radio receiver (Figure 2) comprising:
a first front-end down-conversion mixing to down convert an RF signal from a first low noise amplifier (LNA) into respective intermediate frequency I and Q signals, (read as mixers 24, Figure 2, paragraph [0088]);

a second down-conversion mixing to down-convert said intermediate frequency signals to obtain a signal (read as mixer 30 and its output, Figure 2, paragraph [0088]);
and

However, Darabi does not specifically disclose a DC offset removal technique such that the desired signal (the desired signal is digitalized by ADC before any further processing) is centered at DC and said translate a DC-offset in frequency domain to a frequency higher than said desired signal, said translated DC offset located at the same frequency of a second LO frequency and a notch filter coupled to said second down-conversion mixer to reduce said translated DC offset.

Nonetheless, in related art, Paulus discloses a method for DC removal in a receiver (read as RF receiver having DC removal function, Figure 8, line 39 of column 14 to line 37 of column 18) comprising: using a first front-end down-conversion mixing to down convert an RF signal from a first low noise amplifier (LNA) into respective intermediate frequency I and Q signals (read as the down converter circuitry 409, Figure 8); using a second down-conversion mixing to down-convert said intermediate frequency signals to obtain a desired signal centered at DC, and translate a DC offset to a carrier leakage signal at a second LO frequency (read as the digital down converter circuitry 427, Figure 8, lines 36-37 of column 30); and filtering at said second LO frequency to suppress said carrier leakage (read as digital filter circuit 436, Figures 8, 17A and 17B, line 50 of column 31 to line 62 of column 32).

Therefore, it would have been obvious for a person with ordinary skill in the time the invention was made to incorporate the teachings of Paulus into the teachings of Darabi for the purpose of filtering out the DC offset.

However, Paulus does not specifically disclose the DC offset in frequency domain is translated to a frequency higher than the desired signal.

Nonetheless, in related art, Jensen discloses a similar receiver, comprising a IF signal having a frequency of 2 MHz, which is greater than the channel width (1MHz for Bluetooth) , Figure 1, lines 1-10 of column 4.

Therefore, it would have been obvious for a person with ordinary skill in the art at the time the invention was made to incorporate the teachings of Jensen into the teachings of Darabi, which modified by Paulus, for the purpose of reducing the distortion.

Consider **claim 6, as applied to claim 1 above**, Darabi, as modified by Paulus and Jensen, discloses an analog-to-digital converter coupled to an output of said notch filter, wherein a frequency of said second LO signal is not less than a channel width of said analog radio receiver (read as A/D converter 34 and frequency of the IF signal is greater than the desired signal in frequency domain, Figure 2, paragraph [0091]).

Consider **claim 8, as applied to claim 6 above**, Darabi, as modified by Paulus and Jensen, discloses wherein a gain stage and a filtering stage (read as BPF 25 and amplifiers 28, Figure 2) are used to partially reject out-of bands and to block noise from propagating into a following stage after first down-conversion mixer, and a filter stage (read as LPF 32) after the second down-conversion mixing but does not discloses a gain stage after the second down-conversion mixer.

Nonetheless, Paulus further discloses a gain stage after each of the first and second mixer (read as amplifiers 833A, 833B, 863A and 863B, Figure 8).

Therefore, it would have been obvious for a person with ordinary skill in the art at the time the invention was made to further incorporate the teachings of Paulus into the Darabi, which modified by Paulus and Jensen, for programming the gain of the signal path.

Consider **claim 9, as applied to claim 6 above**, Darabi, as modified by Paulus and Jensen, discloses wherein a notch filter is used to eliminate a carrier leakage caused by static or dynamic DC-offset (read as filter circuit 436 analog fashion, Figures 8, 17A and 17B, line 50 of column 31 to line 62 of column 32).

Consider **claim 10, as applied to claim 9 above**, Darabi, as modified by Paulus and Jensen, discloses wherein the notch filter includes at least one of an elliptic filter and a chebyschef-II type filter (read as IIR-type filter, figures 30A-30c).

Consider **claim 14**, Darabi discloses a radio receiver (Figure 2) comprising:

a first front-end down-conversion mixing to down convert an RF signal from a first low noise amplifier (LNA) into respective intermediate frequency I and Q signals, (read as mixers 24, Figure 2, paragraph [0088]);

a second down-conversion mixing to down-convert said intermediate frequency signals to obtain a desired signal (read as mixer 30 and its output, Figure 2, paragraph [0088]); and

analog-to-digital converting said desired signal (read as A/D converter 34 receiving the analog output of mixer 30 for converting the analog output to digital for further digital processing, Figure 2, paragraph [0091]), wherein the first LO signal is very

high frequency close to the incoming carrier signal and a second LO signal is close to DC and the receiving method becomes a low IF analog radio receiving method (read as the LO signals for mixer 24 and 30, and that the output of mixer 30 is analog signals, paragraphs [0088]—[0091]).

However, Darabi does not specifically disclose a DC offset removal technique such that the digitalized desired signal (the desired signal is digitalized by ADC before any further processing) is centered at DC and translate a DC-offset to a carrier leakage signal at a second LO frequency not less than a channel width and local filtering at said second LO frequency to suppress said carrier leakage.

Nonetheless, in related art, Paulus discloses a method for DC removal in a receiver (read as RF receiver having DC removal function, Figure 8, line 39 of column 14 to line 37 of column 18) comprising: using a first front-end down-conversion mixing to down convert an RF signal from a first low noise amplifier (LNA) into respective intermediate frequency I and Q signals (read as the down converter circuitry 409, Figure 8); using a second down-conversion mixing to down-convert said intermediate frequency signals to obtain a desired signal centered at DC, and translate a DC offset to a carrier leakage signal at a second LO frequency (read as the digital down converter circuitry 427, Figure 8, lines 36-37 of column 30); and filtering at said second LO frequency to suppress said carrier leakage (read as digital filter circuit 436, Figures 8, 17A and 17B, line 50 of column 31 to line 62 of column 32).

Therefore, it would have been obvious for a person with ordinary skill in at the time the invention was made to incorporate the teachings of Paulus into the teachings of Darabi for the purpose of filtering out the DC offset.

However, Paulus does not specifically disclose the DC offset in frequency domain is translated to a frequency higher than the desired signal.

Nonetheless, in related art, Jensen discloses a similar receiver, comprising a IF signal having a frequency of 2 MHz, which is greater than the channel width (1MHz for Bluetooth) , Figure 1, lines 1-10 of column 4.

Therefore, it would have been obvious for a person with ordinary skill in the art at the time the invention was made to incorporate the teachings of Jensen into the teachings of Darabi, which modified by Paulus, for the purpose of reducing the distortion.

Consider **claim 15, as applied to claim 14 above**, Darabi, as modified by Paulus and Jensen, discloses wherein a gain stage and a filtering stage (read as BPF 25 and amplifiers 28, Figure 2) are used to partially reject out-of bands and to block noise from propagating into a following stage after first down-conversion mixer, and a filter stage (read as LPF 32) after the second down-conversion mixing but does not discloses a gain stage after the second down-conversion mixer.

Nonetheless, Paulus further discloses a gain stage after each of the first and second mixer (read as amplifiers 833A, 833B, 863A and 863B, Figure 8).

Therefore, it would have been obvious for a person with ordinary skill in the art at the time the invention was made to further incorporate the teachings of Paulus into the Darabi, which modified by Paulus and Jensen, for programming the gain of the signal path.

Consider **claim 16, as applied to claim 14 above**, Darabi, as modified by Paulus and Jensen, discloses wherein a second down-conversion mixer converts a low-IF signal into a base-band signal (read as Low IF frequency, paragraph [0088]).

Consider **claim 20, as applied to claim 14 above**, Darabi, as modified by Paulus and Jensen, discloses wherein a notch filter is used to suppress the carrier leakage to an acceptable level (read as filter circuit 436 analog fashion, Figures 8, 17A and 17B, line 50 of column 31 to line 62 of column 32).

Consider **claim 21, as applied to claim 14 above**, Darabi, as modified by Paulus and Jensen, discloses the claimed invention but does not specifically disclose wherein harmonics of the second LO signal are designed with a spectral purity to achieve an acceptable signal-to-noise ratio (SNR).

Nonetheless, the Examiner takes Office Notice of the fact that it is well known in the art that receiver are designed to obtain acceptable SNR.

Therefore, it would have been obvious for a person with ordinary skill in the art at the time the invention was made to generate a second LO signal with its harmonic with a spectral purity to increase the SNR to a desired level.

Consider claim **22, as applied to claim 21 above**, Darabi, as modified by Paulus and Jensen, discloses wherein a frequency sum of a first LO signal and the second LO signal is the same as the desired RF signal frequency from the antenna (read as the with the first and second LO signals to the first and second stage of mixers, the baseband signal is centered at DC).

Consider claim **23, as applied to claim 21 above**, Darabi, as modified by Paulus and Jensen, discloses wherein a frequency of a first LO signal (read as the output of divider 40, Figure 2) is the same as a frequency of the second LO signal (output of clock generator 41, Figure 2).

Consider **claim 25, as applied to claim 6 above**, Darabi, as modified by Paulus and Jensen, discloses wherein the frequency of the second LO signal is selected by balancing an increase to reduce image rejection and a decrease to reduce transient response time (read as the combination of Darabi, Paulus and Jensen disclose the claimed circuit structures for performing the same claimed functionality, therefore, the claimed feature of the second LO signal is inherently existing).

Conclusion

7. Any response to this Office Action should be faxed to (571) 273-8300 or mailed to:

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Junpeng Chen whose telephone number is (571) 270-1112. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Junpeng Chen
J.C./jc

/Edward Urban/

Supervisory Patent Examiner, Art Unit 2618